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6 Counsel for Plaintiffs

7   UNITED STATES DISTRICT COURT

8   NORTHERN DISTRICT OF CALIFORNIA

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10 | JUST FILM, INC.; ET AL. | Case No.: CV 10-01993 CW |

11   Plaintiffs,

    DECLARATION OF ROBYN SANDS IN
    SUPPORT OF PLAINTIFFS' MOTION
    FOR CLASS CERTIFICATION
12   v.

13 MERCHANT SERVICES, INC.; ET AL.,
    Date: November 8, 2012
    Time: 2:00 p.m.
14 Defendants.
    Place: Courtroom 2, 4th Floor
    Judge: Hon. Claudia Wilken
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17   I, Robyn Sands, declare:

18   1.   Since the mid 1990s, I have been working with Oracle databases, including as a Senior

19 Engineering Technologist at Lockheed Martin Aeronautics, a Database Administrator at Emory

20 University, a Senior Database Administrator at Lend Lease REI, a Principal Database Consultant at

21 iTeam Technologies, a System Design Architecture Manager at Scientific Atlanta, a Software Engineer

22 IV at Cisco Systems.

23   2.   I currently am a principal member of the technical staff for the Real World Performance

24 Team at Oracle, Inc. My job role is focused on optimizing database performance so I regularly am

25 involved in building databases, loading large quantities of data quickly and optimizing the SQL

26 statements that need to access the data.

27   3.   I have coauthored three books regarding the Oracle database, including Pro Oracle SQL

28 (Apress, November 2010) and Expert Oracle Practices: Oracle Database Administration from the Oak

1   Table (Apress, January 2010). I received my Master of Science degree in 1995 from Southern

2   Polytechnic State University in Marietta, Georgia, and my Bachelor of Science degree in 1989 from

3   California State Polytechnic University in Pomona, California.

4   4.   I was retained by Gutride Safier LLP, counsel for Plaintiffs in this action, to construct an

5   Oracle database and populate the database with data files that I understand were produced by Northern

6   Leasing Systems, Inc. I performed this work as a freelance independent consultant, and none of it was

7   done on behalf of or at the facilities of Oracle, Inc. I have reviewed and signed a copy of the Protective

8   Order in this case.

9   5.   I obtained from Gutride Safier and loaded into an Oracle database seven Oracle Data

10 Pump files that constitute a "Lease Database," containing more than 25 GB of data. I also obtained

11 from Gutride Safier a Microsoft Access database that contained various "PFSC" files relating to taxing

12 information. These files were snapshots (a.k.a. backup copies) of a database, made at various points in

13 time between 2007 and 2012. I exported some of these tables from Access and imported them into the

14 Oracle database. I also received, from Gutride Safier, two additional tables: a "lease cap" table that I

15 understand he generated by matching equipment names to information on other documents, and a

16 "sks_purchase_agreement_schedule_1" table that I understand was also produced by Northern Leasing

17 in discovery. I also imported these tables into the Oracle database.

18   6.   After analyzing the database to determine which types of information were located in

19 which tables and which tables were populated with data, I proceeded to run various searches on the data

20 and obtained the following results.

21   7.   I generated a list of all equipment types on leases where the vendor was listed as

22 "MUNIV" and provided the list to Mr. Gutride. He then returned to me the "lease cap" table described

23 above, showing a corresponding lease cap amount for each type.

24   8.   I generated a list of all leases where the vendor was listed as "MUNIV," the initial lease

25 payment date was on or after March 1, 2007, and the lease number was populated with equipment types

26 in the "asset table." There were 9,428 such leases. For these, I computed the sum of the "acquisition

27 cost" for all leases, which was ███████████

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9.   For each lease described in the prior paragraph, I generated a list of each piece of equipment (i.e., each asset) that corresponded to the lease number. There were between one and 52 pieces of equipment on each lease. I matched the equipment name to the "lease cap" table to determine the cap for each piece of equipment and then summed these amounts to determine the combined lease cap for all equipment in the lease. I then compared the combined lease cap to the lease payment amount and determined that there were 2,141 leases where the lease payment amount exceeded the total lease cap. The sum of the "acquisition cost" for all leases in this group was ▮▮▮▮▮▮▮▮

10.   I searched for all leases where the first lease payment date was between April 1, 2006 and December 31, 2010 and found 337,736 such leases. (In doing this search, I excluded any lease numbers that ended in the letter "A.") Of these, 42,293 were for customers with addresses in California.

11.   I then did the same search as in the prior paragraph, where the first lease payment date was between January 1, 2004 and January 1, 2008, also excluding lease numbers ending in "A." There were 150,850 such leases, of which 19,453 were for customers with addresses in California.

12.   If necessary, I can provide copies of the results of each of the above searches, for further review by the parties or the Court.

Executed this 23rd day of August, 2012, at Pacifica, California. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

    _____/s Robyn Sands_____ _
              Robyn Sands